

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

D.W., by and through his next friend)
Devonsha Fairley; K.V. by and through her)
next friend Sina Matheny; A.R., by)
and through her next friend Laura Reed;)
J.P., by and through his next friend Theresa)
Pope; A.B., by and through her)
next friend Bernadette Brossett; W.R. by)
and through his next friend, Calista)
Blackmon; on behalf of themselves and all)
persons similarly situated; MISSISSIPPI)
PROTECTION AND ADVOCACY)
SYSTEM, INC.,)

Plaintiffs,

V.

HARRISON COUNTY, MISSISSIPPI,

Defendant.

Case No. 1:09 cv 267 LG-RHN

**ORDER GRANTING APPROVAL OF AMENDED
SETTLEMENT AGREEMENT, CERTIFYING A
SETTLEMENT CLASS AND ORDER OF DISMISSAL**

Upon consideration of the Parties' Joint Motion requesting approval of their proposed Settlement Agreement, certification of a settlement class, and dismissal of this matter, it is hereby ordered that the motion is GRANTED. The Court finds that the parties have met the requirements of Fed. R. Civ. P. 23, and that the proposed settlement is a product of serious, informed, non-collusive negotiations, has no obvious deficiencies, does not improperly grant preferential treatment to class representatives or segments of the class, and falls within the range

of possible relief. Approval of this Agreement will spare both the Court and the parties from expensive and protracted litigation. *Reed v. General Motors Corp.*, 703 F.2d 170, 172 (5th Cir. 1983). Further, the agreement does not adversely affect the rights of putative class members to bring individual legal actions against the Defendant. Each future class member will be informed of his or her right to opt out of the enforcement and monitoring of the Settlement Agreement. Approval of the proposed Settlement Agreement is therefore granted.

Class certification is granted for settlement purposes only. The Settlement Class shall be comprised of all children who are currently, or who will in the future, be confined at the Harrison County Juvenile Detention Center.

This matter is therefore DISMISSED WITHOUT PREJUDICE.

SO ORDERED AND ADJUDGED, this the 13th day of October 2009.

s/ *Louis Guirola, Jr.*

Louis Guirola, Jr.
United States District Judge